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22879 7590 07/09/2007 HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			EXAMINER MORRISON, THOMAS A	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

**MAILED**

JUL 09 2007

**GROUP 3600**

Application Number: 10/624,779  
Filing Date: July 22, 2003  
Appellant(s): JEWELL, ROBERT W.

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Peter Kraguljac  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 4/19/2007 appealing from the Office action mailed 10/20/2006.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

JP 56-113641	Kajikawa	09-1981
4,877,234	Mandel	10-1989

4,717,027	Laure et al.	01-1988
6,456,311	Harush et al.	09-2002
JP 61-124459	Hayashi	06-1986

English translation of the end of column 8 to the beginning of column 9 on page 3 of  
Japanese Publication No. 56-113641

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that  
form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-5, 10, 12-13, 19-23 and 25-26 are rejected under 35

U.S.C. 102(b) as being anticipated by Japanese Publication No. 56-113641.

Regarding claim 1, Figs. 1-5 and the attached English translation of the end of  
column 8 to the beginning of column 9 disclose a media registration mechanism for  
aligning print media in an image forming device, the mechanism comprising:

a registration wall (6);

a plurality of media carriers (including 5a and 5b) configured parallel to each  
other and parallel to the registration wall (6), each of the plurality of media carriers

(including 5a and 5b) being positioned a different distance from the registration wall (6) and configured to move print media (Fig. 3) in a direction along the registration wall (6); and

each of the plurality of media carriers (including 5a and 5b) being configured to move the print media (Fig. 3) at a speed based on a position of each of the plurality of media carriers (including 5a and 5b) relative to the registration wall (6) to cause the print media to rotate towards and align against the registration wall (6). See also English Abstract for an explanation of the different speeds of belts 5a and 5b.

Regarding claim 2, Figs. 1-5 show that the plurality of media carriers (including 5a and 5b) include a plurality of belts (5a and 5b).

Regarding claim 3, Figs. 1-5 show that a first media carrier (5b) of the plurality of media carriers (including 5a and 5b) positioned closer to the registration wall is configured to move the print media at a slower speed (English Abstract) than a second media carrier (5a) of the plurality of media carriers (including 5a and 5b) positioned farther away from the registration wall (6).

Regarding claim 4, Figs. 1-5 show that the plurality of media carriers (including 5a and 5b) includes at least a first belt (5b) and a second belt (5a), the first belt (5b) being positioned between the second belt (5a) and the registration wall (6).

Regarding claim 5, there is some sort of drive means coupled to the plurality of media carriers (including 5a and 5b) for driving the plurality of media carriers (including 5a and 5b) at different speeds. See, e.g., English Abstract.

Regarding claim 10, Figs. 1-5 and the attached English translation of the end of column 8 to the beginning of column 9 disclose a media steering mechanism for positioning a sheet of media (Fig. 3) prior to imaging, the mechanism comprising:

- a fence (6);

- a plurality of media carriers (including 5a and 5b), each of the media carriers (including 5a and 5b) configured to move the sheet of media (Fig. 3) in a direction substantially parallel to the fence (6), each of the media carriers (including 5a and 5b) being offset a different distance from the fence (6) in one direction; and

- a drive mechanism for driving each of the media carriers (including 5a and 5b) at different speeds (English Abstract) where a first media carrier (5b) from the plurality of media carriers (including 5a and 5b) is driven at a speed less than an adjacent media carrier (5a) from the plurality of media carriers (including 5a and 5b) that is positioned a greater distance away from the fence (6) such that the sheet of media (Fig. 3) is steered towards the fence to cause an edge of the sheet of media (Fig. 3) to contact and align against the fence (6).

Regarding claim 12, Figs. 1-5 and the attached English translation of the end of column 8 to the beginning of column 9 disclose an image forming device comprising:

- a media registration mechanism including:

- a wall (6),

a first media carrier (5b) oriented substantially parallel to and spaced a first distance apart from the wall (5b),

at least one second media carrier (5a) oriented substantially parallel to and spaced a second distance apart from the wall (6),

the first media carrier (5b) and the at least one second media carrier (5a) being configured to steer a sheet of media (Fig. 3) towards the wall (6) when the first and second media carriers (5b and 5a) are driven at different speeds (English Abstract) causing an edge of the sheet of media (Fig. 3) to contact and align against the wall (6); and

an image forming mechanism (see attached English translation of end of column 8 to beginning of column 9) configured to form an image onto the sheet of media once received from the media registration mechanism.

Regarding claim 13, the media registration mechanism further comprises a drive mechanism coupled to the first and second media carriers (including 5b and 5a) for driving the first media carrier (5b) at a first speed and the second media carrier (5a) at a second speed greater than the first speed of the first media carrier (5b). See, e.g., English Abstract.

Regarding claim 19, Figs. 1-5 and the attached English translation of the end of column 8 to the beginning of column 9 disclose an image forming device having a media registration mechanism for aligning print media along a registration wall, the mechanism comprising:

a first belt (5b) configured to move print media (Fig. 3) in a direction substantially parallel to the registration wall (6);

a second belt (5a), positioned adjacent to the first media carrier (5b), configured to move the print media (Fig. 3) in the direction substantially parallel to the registration wall (6); and

the first and second belts (5b and 5a) configured to cause the print media (Fig. 3) to move towards the registration wall (6) upon concurrently engaging the print media (Fig. 3), until a side of the print media (Fig. 3) contacts and aligns along the registration wall (6).

Regarding claim 20, the English Abstract discloses that the first media carrier (5b) is configured to move the print media (Fig. 3) at a first speed and the second media carrier (5a) is configured to move the print media (Fig. 3) at a second speed different from the first speed.

Regarding claim 21, Figs. 1-5 and the English Abstract disclose that the first media carrier (5b) is positioned between the second media carrier (5a) and the registration wall (6) and wherein the first speed is less than the second speed.

Regarding claim 22, Figs. 1-5 show that the first media carrier (5b), the second media carrier (5a) and the registration wall (6) are substantially parallel to each other.

Regarding claim 23, Figs. 1-5 show that the first media carrier (5b) is positioned between the second media carrier (5a) and the registration wall (6) and being



configured to cause a drag in the movement of the print media (Fig. 3) relative to the second media carrier (5a).

Regarding claim 25, there is some sort of drive means for moving the first media carrier (5b) at a first speed and for moving the second media carrier (5a) at a second speed different than the first speed. See, e.g., English Abstract.

Regarding claim 26, Fig. 3 shows at least a third media carrier (7) adjacent to the first and second media carriers (5a and 5b).

2. Claims 10 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,877,234 (Mandel).

Regarding claim 10, Figs. 1-3 show a media steering mechanism for positioning a sheet of media prior to imaging (column 1, lines 10-13), the mechanism comprising:

a fence (14);

a plurality of media carriers (including 21 and 28), each of the media carriers (including 21 and 28) configured to move the sheet of media (Fig. 3) in a direction substantially parallel to the fence (14), each of the media carriers being offset a different distance from the fence (14) in one direction; and

a drive mechanism (Fig. 2) for driving each of the media carriers (including 21 and 28) at different speeds (column 2, line 60 to column 3, line 12) where a first media carrier (28) from the plurality of media carriers (including 21 and 28) is driven at a speed less than an adjacent media carrier (21) from the plurality of media carriers (including 21

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and 28) that is positioned a greater distance away from the fence (14) such that the sheet of media is steered towards the fence (14) to cause an edge of the sheet of media to contact and align against the fence (14).

Regarding claim 11, Fig. 2 shows that the drive mechanism comprises a motor (27) and a drive shaft (including 23 and 26) coupled to the motor (27), the drive shaft (including 23 and 26) including different diameter portions (23 and 26) configured to drive the plurality of media carriers (21 and 28) at different speeds.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 6, 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Publication No. 56-113641 as applied to claims 5, 10 and 13 above, and further in view of U.S. Patent No. 4,717,027 (Laure et al.). Japanese Publication No. 56-113641 discloses first and second media carriers (5b and 5a) that are driven by a drive means at different speeds, to rotatably convey a sheet into alignment with a registration wall (6), but Japanese Publication No. 56-113641 does not show that the drive means for the first and second carriers (5b and 5a) has a drive shaft and belt arrangement as set forth in claims 6, 11 and 14.

The Laure et al. patent shows that it is well known to provide a registration apparatus with a motor (35) that is coupled to a drive shaft (33) via drive transmitting means (36), in which the drive shaft (33) includes a first pulley (38) having a first diameter and a second pulley (37) having a second diameter that is greater than the first diameter. Also, a first media carrier (i.e., a first belt 32) is in driving engagement with the first pulley (38) and a second media carrier (i.e., a second belt 31) is in driving engagement with the second pulley (37). See, e.g., Fig. 9. The Laure et al. patent solves the same problem as that of Japanese Publication No. 56-113641, in that the different diameter pulleys on the Laure et al. apparatus cause the different media carriers (i.e., belts 31 and 32) to move at different speeds. See column 6, lines 45-58. This differential speed between the belts 31 and 32 causes articles that are conveyed on the belts 31 and 32 to be rotated into longitudinal alignment. See, e.g., column 7, lines 14-20. As such, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to replace the well known belt conveying structure of Japanese Publication No. 56-113641 with another well known belt conveying arrangement as shown in Laure et al., because this merely involves replacement of one well known belt conveying arrangement with another well known conveying arrangement that is a functional equivalent.

4. Claims 9 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Publication No. 56-113641 as applied to claims 1 and 12 above, and further in view of Japanese Publication No. 61-124459.

Regarding claims 9 and 15, Japanese Publication No. 56-113641 discloses that the first and second media carriers (5b and 5a) are driven at different speeds, but does not specifically disclose the first and second media carriers (5b and 5a) are driven by two different motors.

Japanese Publication No. 61-124459 shows that it is well known to provide a media registration device with first and second motors (M1 and M2) that operate first and second media carriers (53 and 54), respectively. These two motors allow the first and second media carriers to operate at different speeds to align a sheet that is conveyed by the first and second media carriers. See Fig. 2 and the English Abstract of Japanese Publication No. 61-124459. It would have been obvious to one of ordinary skill in the art at the time the invention was made, to provide the apparatus of Japanese Publication No. 56-113641 with first and second motors to individually control the first and second media carriers (5b and 5a) of Japanese Publication No. 56-113641, so that such first and second media carriers can properly align a sheet conveyed by the first and second media carriers, as taught by Japanese Publication No. 61-124459.

5. Claims 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Publication No. 56-113641 as applied to claim 12 above, and further in view of U.S. Patent No. 6,456,311 (Harush et al.). Figs. 1-5 and the attached English translation of the end of column 8 to the beginning of column 9 of Japanese Publication No. 56-113641 discloses all of the features of claim 16, except for the specifics of the image forming mechanism (i.e., a liquid electrophotographic mechanism).

The Harush et al. patent discloses that it is well known in the art to form an image in a printer using a liquid electrophotographic mechanism. See, e.g., Fig. 5 and column 9, lines 39-51. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the printer of Japanese Publication No. 56-113641 with a liquid electrographic mechanism, because the Harush et al. patent discloses that one well known mechanism in the art for forming images in printers is a liquid electrophotographic toner (i.e., a liquid electrophotographic mechanism).

**(10) Response to Argument**

1. **Claims 1-5, 10, 12-13, 19-23 and 25-26 are unpatentable under 35 U.S.C. 102(b) as being anticipated by Japanese Publication No. 56-113641.**

**Independent Claim 1**

Claim 1 of the instant application recites "each of the plurality of media carriers being configured to move the print media at a speed based on a position of each of the plurality of media carriers relative to the registration wall to cause the print media to rotate towards and align against the registration wall".

Appellant's allege that, "carrying belts 5a, 5b fail to teach the limitations of the recited media carriers, including 'caus[ing] the print media to rotate towards and align against the registration wall.' Thus, JP 56-113641 fails to teach the registration mechanism as recited in claim 1 and fails to support an anticipation rejection of claim 1." This allegation is without merit.

Fig. 3 and the English Abstract of JP 56-113641 disclose that each of the plurality of media carriers (including 5a and 5b) is configured to move the print media

(Fig. 3) at a speed based on a position of each of the plurality of media carriers (including 5a and 5b) relative to the registration wall (6) to cause the print media to rotate towards and align against the registration wall (6). In particular, Fig. 3 of JP 56-113641 shows the positioning of the media carriers (5a and 5b) relative to the registration wall (6) and the conveying of sheets by such carriers (5a and 5b) to the registration wall (6). Also, the English Abstract explains the different speeds of media carriers 5a and 5b. In addition, the attached English translation of JP 56-113641 further supports this position. For example, page 8, lines 10-20 of this English translation state, "According to the above mentioned executed example machine, **by setting the transporting speed FL and FR of the transporting belts 5a and 5b to  $FL > FR$** , paper A can be sent out while being bent towards the standard surface 6, and therefore, **paper A** that is taken out of the paper collecting part 1 **can immediately be put against the organizing standard surface 6**. The organizing of paper A is finished within a short distance because while getting passed on to the organizing and sending mechanism 7, paper A gets organized by the sending roller 11 and the organizing standard surface 6." (emphasis added). As such, it is the examiner's position that the plurality of media carriers (including 5a and 5b) cause the print media to rotate towards and immediately align against the registration wall (6). Thus, all of the limitations of claim 1 are met by JP 56-113641.

Regarding appellant's allegation that the feeding mechanism 7 of Japanese Publication No. 56-113641 cannot be properly cited as teaching the limitations of the claimed media carriers, this allegation is without merit. The examiner has **never** relied

upon the feeding mechanism 7 of JP 56-113641 to disclose the recited media carriers in any of the claims of the instant application. Thus, no further response to this allegation appears to be needed.

In response to appellant's allegation in the appeal brief from page 15, line 20 to page 16, line 25 that the examiner maintained a 102 rejection in an October 20, 2006 Final Office Action without rebutting arguments, it is noted that this allegation involves an issue that is **not a matter for appeal**. Rather, this issue is a **petitionable matter**.

**Claim 1 not anticipated based on MPEP 2114**

Appellant cites a portion of MPEP 2114 and alleges that, "JP 56-113641 has a structural difference from claim 1 and thus, based on this rule, does not support a proper anticipation rejection." (emphasis in original). This allegation is without merit. The examiner has **never** relied upon MPEP 2114 in an Office Action to reject any of the claims of the instant application. Thus, no further response to this allegation appears to be needed.

**Advisory Action**

In response to appellant's comments about the Advisory Action, it is noted that Fig. 3, the English Abstract and page 8, lines 10-20 of the English translation of JP 56-113641 disclose that it is the plurality of media carriers (including 5a and 5b) that cause the print media to rotate towards and align against the registration wall (6), as claimed. See e.g., page 8, lines 10-20 of the English translation of JP 56-113641. Thus, there is no need to rely on any other elements in JP 56-113641 for causing the print media to rotate towards and align against the registration wall, as claimed.

**Independent Claim 10**

Appellant alleges that, "carrying belts 5a, 5b fail to teach the recited drive mechanism for driving media carriers 'such that the sheet of media is steered towards the fence to cause an edge of the sheet of media to contact and align against the fence.'" This allegation is without merit.

Fig. 3 and the English Abstract of JP 56-113641 disclose a drive mechanism for driving each of the media carriers (including 5a and 5b) at different speeds (English Abstract) where a first media carrier (5b) from the plurality of media carriers (including 5a and 5b) is driven at a speed less than an adjacent media carrier (5a) from the plurality of media carriers (including 5a and 5b) that is positioned a greater distance away from the fence (6) such that the sheet of media (Fig. 3) is steered towards the fence (6) to cause an edge of the sheet of media (Fig. 3) to contact and align against the fence (6). In particular, Fig. 3 of JP 56-113641 shows the positioning of the media carriers (5a and 5b) relative to the registration wall (6) and the conveying of sheets by such carriers (5a and 5b) to the registration wall (6). Also, the English Abstract explains the different speeds of media carriers 5a and 5b. In addition, the attached English translation of JP 56-113641 further supports this position. As mentioned above with regard to claim 1, page 8, lines 10-20 of this English translation state, "According to the above mentioned executed example machine, **by setting the transporting speed FL and FR of the transporting belts 5a and 5b to  $FL > FR$** , paper A can be sent out while being **bent towards** the standard surface 6, and therefore, paper A that is taken out of the paper collecting part 1 can **immediately** be put against the organizing



**standard surface 6.** The organizing of paper A is finished within a short distance because while getting passed on to the organizing and sending mechanism 7, paper A gets organized by the sending roller 11 and the organizing standard surface 6.” (emphasis added). As such, it is the examiner’s position that the plurality of media carriers (including 5a and 5b) cause print media to be steered towards and immediately contact and align against fence (6). Accordingly, JP 56-1113641 discloses a drive mechanism for driving media carriers such that the sheet of media is steered towards the fence to cause an edge of the sheet of media to contact and align against the fence, as claimed.

Regarding appellant’s allegation that the location arranging feeding mechanism 7 does not qualify as the recited media carriers and fails to cure the deficiencies of the carrying belts, this allegation is without merit. The examiner has **never** relied upon the feeding mechanism 7 of JP 56-1113641 to disclose the recited media carriers in any of the claims. Thus, no further response to this allegation appears to be needed.

Regarding appellant’s allegation about MPEP 2114, this allegation is without merit. The examiner has **never** relied upon MPEP 2114 in an Office Action to reject any of the claims. Thus, no further response to this allegation appears to be needed.

### **Independent Claim 12**

Independent claim 12 recites, “the first media carrier and the at least one second media carrier being configured to steer a sheet of media towards the wall when the first and second media carriers are driven at different speeds causing an edge of the sheet of media to contact and align against the wall”.

Appellant alleges that, "the carrying belts 5a, 5b of JP 56-113641 do not cause the paper to contact and align against the reference surface 6. Accordingly, carrying belts 5a, 5b fail to teach all limitations of the recited media carriers, including 'media carrier being configured to steer a sheet of media towards the wall...causing an edge of the sheet of media to contact and align against the wall.'"\* This allegation is without merit.

Fig. 3 and the English abstract of JP 56-113641 discloses the first media carrier (5b) and the at least one second media carrier (5a) being configured to steer a sheet of media (Fig. 3) towards the wall (6) when the first and second media carriers (5b and 5a) are driven at different speeds (English Abstract) causing an edge of the sheet of media (Fig. 3) to contact and align against the wall (6). In particular, Fig. 3 of JP 56-113641 shows the positioning of the media carriers (5a and 5b) relative to the wall (6) and the conveying of sheets by such carriers (5a and 5b) to the wall (6). Also, the English Abstract explains the different speeds of media carriers 5a and 5b. In addition, the attached English translation of JP 56-113641 further supports this position. Again, page 8, lines 10-20 of this English translation state, "According to the above mentioned executed example machine, **by setting the transporting speed FL and FR of the transporting belts 5a and 5b to  $FL > FR$ , paper A can be sent out while being bent towards the standard surface 6, and therefore, paper A that is taken out of the paper collecting part 1 can immediately be put against the organizing standard surface 6.** The organizing of paper A is finished within a short distance because while getting passed on to the organizing and sending mechanism 7, paper A gets organized by the

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sending roller 11 and the organizing standard surface 6.” (emphasis added). As such, it is the examiner’s position that the media carriers (including 5a and 5b) steer a sheet of media towards the wall (6) when the first and second media carriers (including 5a and 5b) are driven at different speeds causing an edge of the sheet of media to immediately contact and align against the wall (6). Thus, JP 56-113641 meets all of the limitations of claim 12.

Regarding appellant’s allegation that the location arranging feeding mechanism 7 does not qualify as the recited media carriers and fails to cure the deficiencies of the carrying belts, this allegation is without merit. The examiner has **never** relied upon the feeding mechanism 7 of JP 56-113641 to disclose the recited media carriers in any of the claims. Thus, no further response to this allegation appears to be needed.

Regarding appellant’s allegation about MPEP 2114, this allegation is without merit. The examiner has **never** relied upon MPEP 2114 in an Office Action to reject any of the claims. Thus, no further response to this allegation appears to be needed.

#### **Independent Claim 19**

Independent claim 19 recites, “the first and second belts configured to cause the print media to move towards the registration wall upon concurrently engaging the print media, until a side of the print media contacts and aligns along the registration wall.”

Appellant alleges, Accordingly, carrying belts 5a, 5b of JP 56-113641 “fail to teach all the limitations of the recited first and second media carriers, including ‘first and second belts configured to cause the print media to move towards the registration

wall...until a side of the print media contacts and aligns along the registration wall”.

This allegation is without merit.

Fig. 3 of JP 56-113641 discloses the first and second belts (5b and 5a) configured to cause the print media (Fig. 3) to move towards the registration wall (6) upon concurrently engaging the print media (Fig. 3), until a side of the print media (Fig. 3) contacts and aligns along the registration wall (6). Also, the attached English translation of JP 56-113641 further supports this position. Once again, page 8, lines 10-20 of this English translation state, “According to the above mentioned executed example machine, by setting the transporting speed FL and FR of the transporting belts 5a and 5b to  $FL > FR$ , paper A can be sent out while being **bent towards** the **standard surface 6**, and therefore, **paper A** that is taken out of the paper collecting part 1 **can immediately be put against the organizing standard surface 6**. The organizing of paper A is finished within a short distance because while getting passed on to the organizing and sending mechanism 7, paper A gets organized by the sending roller 11 and the organizing standard surface 6.” (emphasis added). As such, it is the examiner's position that the first and second belts (5b and 5a) are configured to cause the print media (Fig. 3) to move towards the registration wall (6) upon concurrently engaging the print media (Fig. 3), until a side of the print media (Fig. 3) contacts and aligns along the registration wall (6). Thus, JP 56-113641 meets all of the limitations of claim 19.

Regarding appellant's allegation that the location arranging feeding mechanism 7 does not qualify as the recited first and second belts, this allegation is without merit.

The examiner has **never** relied upon the feeding mechanism 7 of JP 56-113641 to disclose the recited first and second belts in any of the claims. Thus, no further response to this allegation appears to be needed.

Regarding appellant's allegation about MPEP 2114, this allegation is without merit. The examiner has **never** relied upon MPEP 2114 in an Office Action to reject any of the claims. Thus, no further response to this allegation appears to be needed.

**II. Claims 10 and 11 are unpatentable under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,877,234 (Mandel).**

Claim 10 recites "each of the media carriers configured to move the sheet of media in a direction substantially parallel to the fence".

Appellant alleges, "Thus, neither the stopped bearing 28 nor the rotating crowned roller 21 teach the limitation of 'move[ing] the sheet of media in a direction substantially parallel to the fence.'" This allegation is without merit.

Figs. 1-3 of Mandel show a plurality of media carriers (including 21 and 28), each of the media carriers (including 21 and 28) configured to move the sheet of media (Fig. 3) in a direction substantially parallel to the fence (14). Also, column 2, lines 52-58 of Mandel state, "With particular reference to FIGS. 1 and 2, The sheet turning and registration system 10 employs idler rolls 20 and 25 that are mounted matingly with driven crowned roller 21 and driven extension member 26 having a crowned end portion. The system is adapted to either turn and then register sheets, or to **pass them unturned** and just register them." (emphasis added). Also, column 3, lines 22-23 of Mandel state, "For **straight through operation**, both crowned roller pairs are left ON

continuously.” (emphasis added). As such, it is the examiner’s position that Mandel discloses a plurality of media carriers (including 21 and 28), each of the media carriers (including 21 and 28) configured to move the sheet of media (Fig. 3) in a direction substantially parallel to the fence (14), as set forth in claim 10.

Claim 10 also recites, “a drive mechanism for driving each of the media carriers at different speeds where a first media carrier from the plurality of media carriers is driven at a speed less than an adjacent media carrier from the plurality of media carriers that is positioned a greater distance away from the fence such that the sheet of media is steered towards the fence to cause an edge of the sheet of media to contact and align against the fence.”

Appellant alleges, “In addition, neither the bearing 28 nor the crowned roller 21 teach or suggest the limitation of steering the media ‘towards the fence to cause an edge of the sheet of media to contact and align against the fence’. Rather, Mandel teaches that a different component, a scuffer 30, performs registration.” This allegation is without merit.

Figs. 1-3 of Mandel show a drive mechanism (Fig. 2) for driving each of the media carriers (including 21 and 28) at different speeds (column 2, line 60 to column 3, line 12) where a first media carrier (28) from the plurality of media carriers (including 21 and 28) is driven at a speed less than an adjacent media carrier (21) from the plurality of media carriers (including 21 and 28) that is positioned a greater distance away from the fence (14) such that the sheet of media is steered towards the fence (14) to cause

an edge of the sheet of media to contact and align against the fence (14). In particular, Figs. 1-3 show the positioning of the media carriers relative to the fence (14), while column 2, lines 31-35 of Mandel explain the different speeds of the media carriers 21 and 28. Figs. 1-3 of Mandel also show the steering of the media towards the fence (14). Regarding the recited contact and alignment of the edge of the sheet of media against the fence, it is noted that claim 10 recites, "A media steering mechanism for positioning a sheet of media prior to imaging, the mechanism comprising:" and then recites the claimed elements of claim 10. (emphasis added). In other words, claim 10 is an open-ended claim that does not limit all of the steering and alignment of the print media to be performed only by the recited media carriers. Rather, there can be additional elements that act together with the media carriers to align the sheet of media against the fence. The way that claim 10 is written, the media carriers (including 21 and 28) can act together with a scuffer roll (30) of Mandel to steer and align the sheet of media against the fence (14), and still meet the limitations of claim 10. Claim 10 does not recite the terms "consisting of" to limit the elements to only those set forth in claim 10. As such, it is the examiner's position that Mandel also discloses a media steering mechanism for positioning a sheet of media prior to imaging (column 1, lines 10-13), the mechanism comprising: a drive mechanism (Fig. 2) for driving each of the media carriers (including 21 and 28) at different speeds (column 2, line 60 to column 3, line 12) where a first media carrier (28) from the plurality of media carriers (including 21 and 28) is driven at a speed less than an adjacent media carrier (21) from the plurality of media carriers (including 21 and 28) that is positioned a greater distance away from the fence (14)

such that the sheet of media is steered towards the fence (14) to cause an edge of the sheet of media to contact and align against the fence (14).

Regarding appellant's allegation that the scuffer roller 30 fails to teach or suggest the limitations of the recited media carriers and drive mechanism of claim 10, this allegation is without merit. The examiner has **never** relied upon only the scuffer roller 30 of Mandel to disclose the recited media carriers and drive mechanism. Thus, no further response to this allegation appears to be needed.

Regarding appellant's allegation about MPEP 2114, this allegation is without merit. The examiner has **never** relied upon MPEP 2114 in an Office Action to reject any of the claims. Thus, no further response to this allegation appears to be needed.

**III. Claims 6, 11 and 14 are unpatentable over Japanese Publication No. 56-113641 as applied to claims 5, 10 and 13 above, and further in view of U.S. Patent No. 4,717,027 (Laure et al.).**

Appellant alleges, "With regard to claims 5, 10 and 13, it has been shown that JP 56-113641 does not teach the limitations of parallel media carriers configured to cause a print media to align against a registration wall or a drive mechanism for driving each media carrier at a different speed to align print media sheet media against a fence." Also, appellant alleges that, "As Laure is directed to a drive and pulley system, Laure fails to cure the shortcomings of JP 56-113641." These allegations are without merit. As explained above with regard to the independent claims 1, 10 and 12, JP 56-113641 discloses each of the plurality of media carriers being configured to move the print media at a speed based on a position of each of the plurality of media carriers relative



to the registration wall to cause the print media to rotate towards and align against the registration wall, as set forth in claim 1. Moreover, JP 56-113641 discloses a drive mechanism for driving each of the media carriers at different speeds where a first media carrier from the plurality of media carriers is driven at a speed less than an adjacent media carrier from the plurality of media carriers that is positioned a greater distance away from the fence such that the sheet of media is steered towards the fence to cause an edge of the sheet of media to contact and align against the fence, as set forth in claim 10. In addition, JP 56-113641 discloses the first media carrier and the at least one second media carrier being configured to steer a sheet of media towards the wall when the first and second media carriers are driven at different speeds causing an edge of the sheet of media to contact and align against the wall, as set forth in claim 12. Laure et al. is relied upon to disclose the additional features that render dependent claims ~~6~~, ~~11~~ and ~~14~~ unpatentable.

**IV. Claims 9 and 15 are unpatentable over Japanese Publication No. 56-113641 as applied to claims 1 and 12 above, and further in view of Japanese Publication No. 61-124459.**

Appellant alleges, "Since JP 56-113641 fails to teach or suggest the independent claims 1 and 12, it also fails to teach or suggest dependent claims 9 and 15." Also, appellant alleges, "JP 61-124459 fails to cure the shortcomings of JP 56-113641." These allegations are without merit. JP 56-113641 discloses all of the limitations of claims 1 and 12, as explained above. Also, JP 61-124459 discloses the additional features that render dependent claims 9 and 15 unpatentable.

**V. Claims 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Publication No. 56-113641 as applied to claim 12 above, and further in view of U.S. Patent No. 6,456,311 (Harush et al.).**


Appellant alleges, "Since it has been shown that the disclosure of JP 56-113641 fails to teach independent claim 12, it then follows that it fails to be the basis of a proper obviousness rejection for its dependent claim 16." This allegation is without merit. JP 56-113641 discloses all of the limitations of claim 12, as explained above. Also, Harush et al. discloses the additional features that render dependent claim 16 unpatentable.

**(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

TMorrison 

Conferees:

Patrick Mackey 

Meredith Petravick 

  
GENE C. CRAWFORD  
SUPERVISORY PATENT EXAMINER